

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, November 19 , 2008 – 8:00 a.m. – Room W025 House Building

Members Present:

Sen. Carlene M. Walker, Senate Chair
Rep. Todd E. Kiser, House Chair
Sen. Scott K. Jenkins
Sen. Karen Mayne
Sen. Kevin T. VanTassell
Rep. Stephen D. Clark
Rep. Bradley M. Daw
Rep. Ben C. Ferry
Rep. Richard A. Greenwood
Rep. Lynn N. Hemingway
Rep. Kory M. Holdaway
Rep. Brad King

Rep. Bradley G. Last
Rep. Ronda Rudd Menlove
Rep. Brian P. Monson
Rep. Paul A. Neuenschwander
Rep. LaWanna Lou Shurtliff

Members Excused:

Sen. Sheldon L. Killpack

Staff Present:

Mr. Leif G. Elder, Policy Analyst
Ms. Shannon C. Halverson, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Kiser called the meeting to order at 8:08 a.m.

MOTION: Sen. Walker moved to approve the minutes of the October 15, 2008 meeting. The motion passed unanimously. Sen. Jenkins, Rep. Clark, Rep. Ferry, Rep. Greenwood, Rep. Monsen, and Rep. Shurtliff were absent for the vote.

2. 2009 General Session draft legislation, "Designation of State Highways Amendments"

Staff distributed 2009 General Session draft legislation, "Designation of State Highway Amendments."

Ms. Linda Hull, Director, Legislative and Government Affairs, Utah Department of Transportation (UDOT), presented the highlights of the bill.

MOTION: Sen. Walker moved to recommend 2009 General Session draft legislation, "Designation of State Highway Amendments" as a committee bill. The motion passed unanimously. Sen. Jenkins, Rep. Clark, Rep. Ferry, Rep. Greenwood, Rep. Monsen, and Rep. Shurtliff were absent for the vote.

3. 2009 General Session draft legislation, "Driver License Amendments - Motor Driven Cycles"

Staff distributed 2009 General Session draft legislation, "Driver License Amendments - Motor Driven Cycles."

Ms. Nannette Rolfe, Director, Driver License Division, and Mr. Bill Lloyd, Manager, Commercial Driver License and Motorcycle Programs, pointed out changes in the bill and responded to committee members' questions.

MOTION: Sen. Walker moved to recommend 2009 General Session draft legislation, "Driver License Amendments - Motor Driven Cycles" as a committee bill. The motion passed unanimously. Sen. Jenkins, Rep. Clark, Rep. Ferry, Rep. Greenwood, Rep. Monsen, and Rep. Shurtliff were absent for the vote.

4. 2009 General Session draft legislation, "Motor Carrier Permit Fee Amendments"

Staff distributed 2009 General Session draft legislation, "Motor Carrier Permit Fee Amendments."

Ms. Hull distributed "UDOT Motor Carrier Permit Fees" and discussed the proposed increase in permit fees as provided for in the draft.

5. Driving Under the Influence

A. Repeat DUI Offender's Data Report

Ms. Mary Lou Emerson, Director, Utah Substance Abuse and Anti-Violence Coordinating Council, distributed and reviewed "Sixth Annual DUI Report to the Utah Legislature."

Ms. Kim Gibb, Public Safety Bureau Chief, Driver License Division, and Mr. Paul Boyden, Executive Director, Utah Prosecutors' Association, responded to questions from the Committee.

B. 2009 General Session draft legislation, "DUI Amendments"

Sen. Walker introduced 2009 General Session draft legislation, "DUI Amendments" provided in the mailing packet, and turned the time over to Mr. Boyden.

Mr. Boyden, discussed the provisions in the bill.

MOTION: Sen. Walker moved to recommend 2009 General Session draft legislation, "DUI Amendments" as a committee bill. The motion passed unanimously. Sen. Jenkins and Rep. King were absent for the vote.

6. 2009 General Session draft legislation, "Motorcycle Rider Education Program Amendments"

Rep. Daw introduced 2009 General Session draft legislation, "Motorcycle Rider Education Program Amendments," which was provided in the mailing packet.

Ms. Rolfe spoke in support of the bill.

MOTION: Sen. Walker moved to recommend 2009 General Session draft legislation, "Motorcycle Rider Education Program Amendments" as a committee bill. The motion passed unanimously. Sen. Jenkins and Rep. King were absent for the vote.

7. Safety In Construction Zones

Sen. Mayne introduced the issue.

Mr. David Hulverson, Safety Manager, Granite Construction Company, distributed and presented "Work Zone Safety in Utah."

Col. Lance Davenport, Superintendent, Utah Highway Patrol, said the number of troopers in Salt Lake County has not increased over the past 30 years.

Commissioner Scott T. Duncan, Department of Public Safety, said that the visual presence of troopers is helpful in slowing down traffic and the incidence of accidents in work zones.

Mr. Kit Morgan, citizen, expressed appreciation for the increased safety efforts UDOT is making in construction zones.

8. 2009 General Session draft legislation, "Traffic Accident Clearance Amendments"

Staff distributed 2009 General Session draft legislation, "Traffic Accident Clearance Amendments."

Representative Eric K. Hutchings discussed the need for the provisions provided in the legislation.

Mr. Bob Anderson, Utah Highway Patrol, responded to questions regarding the movement of damaged vehicles from the highway.

Mr. Carlos Braceras, Deputy Director, UDOT, spoke in support of the bill.

MOTION: Rep. Ferry moved to amend 2009 General Session draft legislation, "Traffic Accident Clearance Amendments" as follows: on line 16 delete "\$1,500" and insert "\$2,000". The motion passed unanimously. Rep. Daw was absent for the vote.

MOTION: Rep. Ferry, moved to recommend 2009 General Session draft legislation, Traffic Accident Clearance Amendments" as amended, as a committee bill, and to send it to a standing committee for review of other recommended amendments to be made. The motion passed unanimously. Rep. Daw was absent for the vote.

9. 2009 General Session draft legislation, "Firefighter Special Group License Plate Amendments"

Staff distributed 2009 General Session draft legislation, "Firefighter Special Group License Plate Amendments."

Rep. Menlove discussed the provisions of the bill.

Mr. Jay Westergard, Utah State Firemen's Association, spoke in favor of the bill.

MOTION: Sen. VanTassell moved to recommend 2009 General Session draft legislation, "Firefighter Special Group License Plate Amendments" as a committee bill. The motion passed with Rep. Holdaway voting in opposition. Rep. Daw and Rep. Shurtliff were absent for the vote.

10. 2009 General Session draft legislation, "Street-Legal All-Terrain Vehicle Amendments"

Sen. Jenkins introduced provisions of 2009 General Session draft legislation, "Street-Legal All-Terrain Vehicle Amendments" as distributed in the mailing packet.

Mr. Lincoln Shurtz, Utah League of Cities and Towns, responded to committee members' questions and recommended to leave the 7500 threshold alone and allow cities to opt into it.

Mr. Brent Gardner, Utah Association of Counties, spoke in favor of the bill.

MOTION: Rep. Clark moved to recommend 2009 General Session draft legislation, "Street-Legal All-Terrain Vehicle Amendments" as a committee bill. The motion passed with Rep. Kiser voting in opposition. Rep. King, Rep. Last, and Rep. Shurtliff were absent for the vote.

11. REAL ID and Driver License Issues

Ms. Rolfe distributed and reviewed "2008 ID Grant Narrative."

The Committee discussed compliance issues related to the Federal REAL ID Act of 2005 and implementation issues for provisions provided in 2008 General Session S.B. 81, "Illegal Immigration."

Ms. Rolfe stated that there are decisions that need to be made before legislation can be drafted for the state to be compliant.

12. Other Items / Adjourn

Closing comments were made by Sen. Walker and Rep. Kiser.

Chair Kiser adjourned the meeting at 11:40 a.m.